APPEALS COMMISSION FOR ALBERTA WORKERS' COMPENSATION

Practice Guideline #2

Getting Ready for the Hearing

Contents

A. How We Handle an Appeal 2

B. Steps If You Submitted the Appeal (Appellant) 2

C. Steps for Participants Attending In-person Hearings (at our Offices, Online and by Telephone)..... 3

D. Steps for Participants of Documentary Hearings..... 3

E. What Next?..... 3

The Chief Appeals Commissioner has a series of Practice Guidelines to help people who are involved in an appeal to the Appeals Commission. Please contact us for additional Practice Guidelines, *Appeal Rules*, or other information.

For more information, contact the Appeals Commission for Alberta Workers' Compensation at:

Edmonton	**Calgary**
1100, 10405 Jasper Avenue	2300, 801 - 6th Avenue SW
Edmonton, AB T5J 3N4	Calgary, AB T2P 3W2
Tel: 780-412-8700	Tel: 403-508-8800
Fax: 780-412-8701	Fax: 403-508-8822

or, through our web site at www.appealscommission.ab.ca

Let us know if:

- your address or contact information changes
- you choose a representative or your representative changes
- you are no longer a representative for a party to or participant in an appeal

A. How We Handle an Appeal

Step 1: Receive and Check the Appeal
When we get your appeal, we make sure it's complete with all the required information and documents. If something's missing, we'll ask you to send it to us.

Step 2: Notify Everyone Involved
We send a form called a *Notice of Participation* and a copy of the decision being appealed to everyone involved, including the Workers' Compensation Board (WCB). If someone wants to be part of the appeal, we ask that they fill out and return the form within 14 days. We ask the WCB to tell us if they plan to attend within 30 days. We'll let everyone know who is participating and why.

Step 3: Schedule the Hearing
A Hearing Coordinator will contact everyone to pick a date for the hearing and will ask you to decide what type of hearing you want. You can attend the hearing in person which means you attend the hearing at our offices or online or by phone. You can also ask for a documentary hearing, which means the panel will decide your appeal based on documents only. Once the date is set, we'll send a letter confirming the hearing details, including how you will be attending the hearing, who's involved, and what issues are being appealed. After this, you can't add new appeals or issues to the hearing unless you get special permission.

Step 4: Prepare the Appeal Documents Package (ADP)
The Appeals Officer will review the WCB file and create an ADP. This package includes the information needed for the hearing. You'll get a letter with the ADP, instructions on how to add more documents, the hearing date, and other important details (such as if an interpreter is arranged). The ADP is sent out to you well before the hearing. If you have a representative, the ADP is sent to them and they can send you a copy if you ask.

Step 5: Check for New Information
About 30 days before the hearing, we check the WCB file again for any new information. If there's anything new, we'll share it with everyone involved.

Step 6: Prehearing Conference
We may ask you to attend a pre-hearing conference before the hearing to talk about how your appeal will be handled. If we think this conference will help, we will contact you to schedule it.

Step 7: The Hearing
The hearing happens on the scheduled date. The hearing will be in person at our offices or online or by phone, depending on how you are participating. If the hearing is in person at our offices, bring your ADP and any other important information you want the panel to consider. If the hearing is by phone or online, make sure to have your ADP and any other important information available.

If a worker or employer has a representative and attends the hearing in person at the offices of the Appeals Commission, their representative must also attend in person.

Documentary hearings are heard on the scheduled date. However, they can be subject to change without notice depending on panel availability.

B. Steps If you Submitted the Appeal (Appellant)

Step 1: Check the Issues of Appeal
The Appeals Officer might change or reword the issues being appealed. Make sure you review them carefully.

Step 2: If You Disagree with the Issues
Contact your Appeals Officer right away if you want to change or remove any issues. A hearing panel might need to resolve any problems with the issues before the hearing.

Step 3: Review the ADP
Look through the ADP to make sure all the documents you need for your appeal are included.

C. Steps for Participants Attending In-person Hearings (at our Offices, Online and by Telephone)

Step 1: Submit Additional Documents
If you want to add more evidence (like letters, reports, photos, or videos), send it as soon as possible. Fill out an *Additional Documents List* and send it in with your documents. If we get documents less than 4 business days before the hearing, they might not be accepted or could cause a delay. If you bring new documents to an in person hearing at the Appeals Commission office, bring 5 copies to share.

If you want to bring digital documents, such as on a CD or USB stick, see *Practice Guideline #6 – Digital Information and Appeals* for steps on how to submit them.

Step 2: Tell Us Who's Attending
Let the Appeals Officer know who will be at the hearing (like witnesses or observers) at least 4 business days before the hearing. If you're bringing an expert witness (like a doctor), let the Appeals Officer know at least 45 days before your hearing. If you don't let us know who's attending in time, your hearing could be delayed.

The Hearing Chair will decide the role of any witnesses or observers at the hearing.

Step 3: Share Any Special Circumstances
If there's anything unusual (like needing more time or a delay), contact your Appeals Officer for help. Special circumstances may result in a delay or an adjournment of the hearing.

Step 4: Submit a Written Statement (Optional)
You can send us a written statement to explain what you would like us to understand about your case. This isn't required, but it can help the panel decide. Send it at least 4 business days before the hearing to avoid delays.

D. Steps for Participants of Documentary Hearings

Step 1: Submit Additional Documents
If you want to add more evidence (like letters, reports, photos, or videos), your Appeals Officer will tell you when you must send it in by.

If you want to submit digital documents, such as on a CD or USB stick, see *Practice Guideline #6 – Digital Information and Appeals* for steps on how to submit them.

Step 2: Submit a Written Statement (Optional)
You can send us a written statement to explain what you would like us to understand about your case. This isn't required, but it is very helpful for panels in documentary hearings because you will not be attending in person. Your Appeals Officer will tell you when you must send it in by.

E. What Next?

For details on what happens after the hearing, check *Practice Guideline #3 – The Hearing and Decision.*